

12/26/01

JC891 U.S. PTO
12/26/01

UTILITY PATENT APPLICATION TRANSMITTAL

(for new non-provisional applications under 37 CFR § 1.53(b))

DUPLICATE ☐

Atty. Dkt. No: 5259-00606

Inventor(s):
Wagner et al.

Title: SYSTEM FOR STABILIZING
THE HUMAN SPINE WITH A
BONE PLATE


CERTIFICATE OF EXPRESS MAIL
UNDER 37 C.F.R. §1.10

"Express Mail" mailing label number: EL726368247US
DATE OF DEPOSIT: December 26, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.110 on the date indicated above and is addressed to:

Commissioner for Patents
Box Patent Application
Washington, D.C. 20513

Commissioner for Patents
Box Patent Application
Washington, D.C. 20213



Shayna Blackmar

<input checked="" type="checkbox"/> Continuing Application		<u>Continuation</u>	of prior application No.: <u>09/089,027</u>
Inventor(s) Erik J. Wagner Robert J. Jones		Filed: <u>June 2, 1998</u>	
Title: SYSTEM AND METHOD FOR STABILIZING THE HUMAN SPINE WITH A BONE PLATE		Examiner: <u>D. Reip</u> Group/Art Unit: <u>3731</u> Assignee: <u>Spinal Concepts, Inc.</u> Recorded at Reel <u>9450</u> , Frame <u>0947</u>	
Power of Attorney in Prior Application:		Eric B. Meyertons Conley, Rose, & Tayon, P.C. P.O. Box 398 Austin, Texas 78767-0398	

Application Elements

1. ☒ Filing Fee
The filing fee is calculated as shown below.

Total Claims	28	-20=	8	x \$18.00=	144.00
Independent Claims	5	-3 =	2	x \$84.00=	168.00
Multiple Dependent Claims				Fee:	0.00
Basic Fee:					740.00
Sub-Total:					1052.00
Reduction by 50% for Small Entity:					\$526.00
Total:					\$526.00

- ☒ The Commissioner is hereby authorized to charge any other fees which may be required or credit any overpayment to Conley, Rose, & Tayon, P.C., Deposit Account No. 50-1505/5259-00606/EBM.

2. ☒ Specification
Enclosed are:
20 pages of specification; 23 pages of claims; 1 page Abstract.
3. ☒ Drawings
☐ Enclosed are Informal Figures.
☒ Enclosed are Formal Figures 1-13 on 6 sheets.
4. ☒ Oath or Declaration
☐ Newly executed
☒ Enclosed is a copy of the Oath or Declaration from above-referenced prior application (see 37 C.F.R. § 1.63(d))
5. ☐ This application is filed by fewer than all the inventors named in the prior application
☐ Delete the following inventor(s) named in the prior non-provisional application:

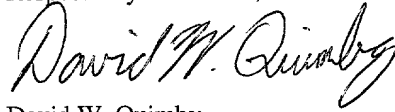
☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
6. ☒ The entire disclosure of the prior application is considered to be part of the accompanying application and is hereby incorporated by reference herein.
7. ☐ Enclosed is a Microfiche Computer Program (Appendix).
8. ☐ Enclosed is a Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary).
☐ Computer Readable copy
☐ Paper Copy (identical to computer copy)
☐ Statement verifying identity of above copies
9. ☐ Enclosed are Assignment Papers
10. Power of Attorney
☒ The power of attorney appears in the original papers of the prior application.
☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
11. ☒ Information Disclosure Statement (IDS)
☒ Enclosed are copies of IDS Forms 1449 from the above-referenced prior application.
☒ The Commissioner is hereby specifically requested to make the Information Disclosure Statements, as well as any prior art of record in the prior application(s), of record in connection with this application.
12. Amendments
☐ A preliminary amendment is enclosed (pages).
☐ Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 116 in the prior application.
☒ Cancel in this application claims 1-95 before calculating the filing fee. At least one independent claim is retained for filing purposes.
☐ Amend the specification by inserting before the first line the sentence:
13. ☒ Return Receipt Postcard
14. Small Entity Status
☐ A small entity statement is enclosed.
☒ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
☐ Is no longer claimed.
15. ☐ Priority of foreign application number _____, filed on _____ in _____ is claimed under 35 U.S.C. §§ 119(a)-(d)
16. ☐ Petition under 37 C.F.R. § 136 for Extension of Time
17. ☐ Other: _____

400601224

Address all future correspondence to:

Eric B. Meyertons
Conley, Rose & Tayon, P.C.
P.O. Box 398
Austin, Texas 78767-0398
Phone: (512) 476-1400
Facsimile: (512) 703-1250

Respectfully Submitted,



David W. Quimby
Reg. No. 39,338

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Date: Dec. 26, 2001

10036013-122601

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: Unknown
Filed: June 2, 1998
Inventor(s):
Wagner et al.

§ Examiner: Unknown
§ Group/Art Unit: Unknown
§ Atty. Dkt. No: 5259-00606
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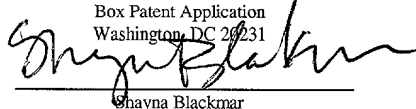
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above and is addressed to:

Commissioner for Patents
Box Patent Application
Washington, DC 20231


Shayna Blackmar

FEE AUTHORIZATION

Commissioner for Patents
Washington, D.C. 20231

The Commissioner is hereby authorized to charge the following fees to Conley, Rose & Tayon,
P.C. Deposit Account Number 50-1505/5259-00606:

\$370.00 - Utility Patent Application Filing Fees;

\$ 84.00 - Fee for independent claims over 3;

\$ 72.00 - Fee for claims in excess of 20

Total Amount: \$526.00

Attorney Docket No.: 5259-00606

Wagner, et al.

The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number. If the above mentioned account is found to have insufficient funds, the Commissioner is authorized to charge Conley, Rose & Tayon, P.C. Deposit Account Number 50-1623/5259-00606.

Respectfully submitted,



David W. Quimby
Reg. No. 39,338

Attorney for Applicant

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Date: Dec. 26, 2001

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Date: Dec. 26, 2001

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